

Town of Dudley

Board of Selectmen
Highway Commissioners
Cemetery Commissioners
SELECTMEN MEETING

August 3, 2015 @ 6:30pm

Dudley Municipal Complex, 71 West Main Street, Dudley, MA

Veteran Memorial Hall – Room 321A

Approved 8/17/2015

Some matters have been taken out of agenda order but were typed up in agenda order for ease of locating information when necessary.

1. Call to Order, Pledge of Allegiance

Steven Sullivan called the meeting to order at 6:36pm. Present members were John Marsi. Peter Fox, Paul Joseph and Jonathan Ruda. Also present was Greg Balukonis, Town Administrator and Michelle Jervis, Administrative Secretary.

2. Acceptance of Minutes:

Peter Fox motioned to approve the minutes of July 20, 2015. Jonathan Ruda seconded. Unanimous 5-0.

3. Appointments/Resignations:

a. Central Massachusetts Regional Planning Commission (CMRPC) – Appointment of the Board of Selectmen's Delegate and Alternate to CMRC for FY 16 – After discussion Steven Sullivan requested that the Board advertise for a resident to be the appointee and put the request on Cable Access and website.

b. Town Clerk – Election Workers 2015-2016 – Jonathan Ruda motioned to nominate the below list of Election Workers for 2016. Their terms to expire August 15, 2016.

Carol Antos	Pelligrino D'Auria	Diana Kuzawa
Maryann Armstrong	Jim Dunne	Alice Langlois
Ann Atkins	Maria Econome	Diane Mrozinski
Linda Bazinet	Anne Gillespie	Carol Rocheleau
Debbie Bazydlo	Cynthia Iwanski	Nancy Roy
Liz Beals	Kathryn Joseph	Sandra Smith
Josephine Bottieri	Lori Joseph	Ann N. Stochaj
Linda Brink	Judy Joy	Marcia Wagner
Janice Castonguay	Bruce Joy	Norma Waterhouse
Barbara Cichowski	Jeanette Kasierski	Louise Williams
Despina Condos	Jean Kondek	Donald Wilson, Jr.
Emma Cote	Evelyn Kullas	Lorraine Winslow

John Marsi seconded. Vote 4-0-1 with Paul Joseph abstaining.

c. Dudley Police Department – Officer Shane DiDonato – Full Time Police Officer – Chief Wojnar came before the Board. He stated that Officer DiDonato has fulfilled his

probationary period and is looking for the Board to appoint him as a full time officer. After discussion **John Marsi motioned to appoint Officer Shane DiDonato as a full time officer with the Dudley Police Department. Jonathan Ruda seconded. Unanimous 5-0.**

4. Public Comments/Citizens Comments – Informational:

5. Public Hearing

Om Shiv Corporation d/b/a Patriot Gas – 251 West Main Street – Failure to Pass Compliance Check of Thursday, July 9, 2015.

Steven Sullivan recused himself at 6:40pm.

John Marsi opened the Public Hearing at 6:40pm. Mr. Krishna Patel of Patriot Gas came before the Board along with Chief Wojnar. Chief Wojnar stated that on July 9, 2015 his department conducted compliance checks on all the alcohol licenses in town. They had a 20 year old male go into the establishments and attempt to purchase a six pack of beer. At 6:40pm the male entered Patriot Gas for the purchase. The individual knew the cashier (went to high school together) and started a conversation. During that time the sale was consummated and money was exchanged. While leaving the store the cashier asked if he was 21 years old and he confirmed he was not. The police were then notified. Mr. Patel stated that he tells all his cashiers to card anyone under 50 years old. The Public Hearing closed at 6:49pm. After discussion **Jonathan Ruda motioned that the Board of Selectmen suspend the Off Premise - Wine and Malt License of Om Shiv Corp. d/b/a Patriot Gas for three days for the first offense of selling to a minor with the time served coordinated by the owner and the Town Administrator but not to exceed 90 days. Peter Fox seconded. Vote 4-0-1 with Steven Sullivan abstaining.**

6. Licensing and Permits:

a. One Day All Alcohol License – St. Andrew Bobola Church - Cynthia Iwanski, Chairman of the Festival, came before the Board. She is requesting a One Day Alcohol Permit for the festival as well as the use of municipal parking and parking at the old highway barn property directly across from the church. She has spoken to the Police Chief and a detail officer will be on the premises. After discussion. **Paul Joseph motioned to grant a One Day All Alcohol License to St. Andrew Bobola Church located at 54 West Main Street on Saturday, August 29, 2015 from 11:00am to 11:00pm with the understanding that the church is trying to revive the festival. Pete Fox seconded. Vote 4-0-1 with Steven Sullivan abstaining.**

Peter Fox motioned that the St. Andrew Bobola Church be allowed to use the town hall parking lot for overflow at the festival from 10:00am to 11:00pm. Jonathan Ruda seconded. Vote 4-0-1 with Steven Sullivan abstaining.

Paul Joseph motioned to allow St. Andrew Bobola Church to use the old highway garage property for parking at the festival from 10:00am to 11:00pm. Jonathan Ruda seconded. Vote 4-0-1 with Steven Sullivan abstaining. Ms. Iwanski informed members that at this time 6,000 pierogis have been prepared along with other traditional polish dishes.

b. One Day Outdoor Entertainment License – Drafters Sports Café, 35 Chase Ave - Crystal Kistner and Ted Kistner, Jr. came before the Board. Ms. Kistner stated that this is their third year holding this outdoor event and it is a huge success. There will be nine bands this year, no alcohol outside the building, only water and soda. They will be hiring a security team to make sure no alcohol goes out on the grounds. The PA system will be scaled down this year and the music will be directed to the back of the property out to the woods. **Paul Joseph motioned to grant Drafters Sports Café a One Day Entertainment License for Saturday, August 15, 2015 from 12:00pm to 9:00pm for Rock Outdoors III. Jonathan Ruda seconded. Vote 4-0-1 with Steven Sullivan abstaining.**

Steven Sullivan resumed his seat on the Board at 7:10pm.

7. Public Business:

a. **Stevens Mill Rehabilitation Tax Credits – Letter of Support** – tabled from July 20, 2015. – George Peterson, owner of the mill along with Keith Peterson, Architect, came before the Board. A model of the renovation was shown to the Board. Mr. Peterson stated that the part of the building that was added on in 1995 will be torn down and the ground graded back to its original state. The property will be converted to 164 apartment units with 34 studio apartments, 69 one bedroom apartments and 61 two bedroom apartments. There will be no 3 bedroom apartments. They are hoping to break ground in the spring but it depends on financing. Marcia Wagner, Planning Board member, stated that she thought the property will be converted to condominiums and suggested the Board look into the assessed value of the property with apartments re: condos. Regarding the Letter of Support for the Massachusetts Historical Commission, **Paul Joseph motioned to approve and sign the Letter dated August 3, 2015. Peter Fox seconded. Unanimous 5-0.**

b. **Blue Heron Drive – Rail Trail Parking – TA Recommendations** – Butch Mattson and Amy Marshall from Blue Heron Drive, came before the Board. Mr. Balukonis stated that he addressed the issue at a meeting on July 30, 2015 in his office with residents as well and Dan Gion, Highway Superintendent and Ken Butkiewicz, Rail Trail Steward. He stated that he wants the neighborhood to embrace the project. Mr. Butkiewicz gave four alternate plans to accept and all agreed to go with Plan three, with no lighting. After discussion **Paul Joseph motioned to accept the Town Administrator's recommendation and made the cul-de-sac for maintenance vehicles only and not open to public parking. Jonathan Ruda seconded. Unanimous 5-0.**

c. **Noise Bylaw – Reintroduce draft dated 10/6/2014** – Paul Joseph stated that Mr. Ruda prepared the draft last year and the Board needs to review it and vote at the next meeting. Mr. Balukonis stated that he received a packet from Tom Purcell, Health Agent, and that the Board of Health is willing to step forward to help. Steven Sullivan is in favor of status quo and that 99% is discretionary. Tabled to August 17, 2015

d. **Town Beach – Fencing** – Jonathan Ruda requested this issue be discussed. He would like to get a price to fence in the beach and access road for town meeting or include it in the budget. A committee should be involved. Paul Joseph stated that he will be opposed to a fence. After discussion Mr. Balukonis stated that after the beach is closed for the season he will put together an after action report addressing residents/out of towners passes as well as investigate the costs for a fence.

8. Town Administrator Report/Departmental Communication:

a. Mr. Balukonis met with the Department of Revenue concerning the Community Compact Cabinet which is a State program to incentivize communities to adopt best practices at a local level. He would like to discuss this at a future meeting. Regarding the town election Special Legislation, he has not heard any news from Rep. Durant's office at this time but will inform everyone when this occurs.

b. Regarding the snow deficit a possible supplemental State Aid in the amount of \$54,838 will be going to the snow deficit. Also FEMA funding will close the snow gap for FY 15. He also informed members that the town received reimbursement from Oxford for the paving of Oxford Avenue, including police details, in the amount of \$36,445.00.

c. Regarding the solar projects he would like to set up a meeting a committee to discuss PILOT programs to include non-profits.

d. Police Chief Wojnar informed everyone of another Drug Take Back Day of Saturday, September 26, 2015. When he has more information he'll pass it along.

9. **Board Members Comments:**

10. **Student Representative:**

11. **Adjournment:**

Paul Joseph motioned to adjourn at 8:15pm. Jonathan Ruda seconded. Unanimous 5-0.

Respectfully submitted,

Michelle Jervis, Administrative Secretary